

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q94762

Kazuyuki OHMOTO, et al.

Appln. No.: Based on PCT/JP04/017209

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: May 15, 2006

Examiner: Unknown

For: HETEROCYCLIC SPIRO COMPOUND

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

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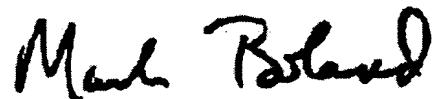
filng a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents (International Search Report for PCT/JP04/017209 dated January 11, 2005), indicating the degree of relevance found by the foreign patent office. Also, English Abstracts are provided.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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1449 PCT/US04/017209
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Substitute for Form 1449 A & B/PTO				Information Disclosure Statement by Applicant	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Information Disclosure Statement by Applicant	
(use as many sheets as necessary)				Information Disclosure Statement by Applicant	
Sheet	1	of	1	Information Disclosure Statement by Applicant	Information Disclosure Statement by Applicant
				Attorney Docket Number	Q94762

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
	US				

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
	JP	2001-261679	A	09-26-2001	Mitsui Chemicals, Inc.	Abstract	
	WO	03/057698	A2	07-17-2003	ACDIA PHARMACEUTICALS, INC.		
	JP	11-512723	A	11-02-1999	Eli Lilly and Co.	Abstract	
	JP	2001-39950	A	02-13-2001	Ban'yu Seiyaku Kabushiki Kaisha	Abstract	
	WO	93/13101	A1	07-08-1993	Yoshitomi Pharmaceutical Industries, Ltd.	Abstract	
	WO	01/68641	A1	09-20-2001	BAYER AKTIENGESELLSCHAFT	Abstract	
	JP	8-311067	A	11-26-1996	Adir et Co.	Abstract	
	JP	2002-201178	A	07-16-2002	Takeda Chemical Industries, Ltd.	Abstract	
	WO	03/106450	A1	12-24-2003	BAYER AKTIENGESELLSCHAFT	Abstract	
	DE	102 32 572	A1	02-05-2004	BAYER AKTIENGESELLSCHAFT	Abstract	
	WO	03/030937	A1	04-17-2003	Ono Pharmaceutical Co., Ltd.	Abstract	
	WO	03/068753	A1	08-21-2003	Ono Pharmaceutical Co., Ltd	Abstract	

NON PATENT LITERATURE DOCUMENTS							
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.					Translation ⁶
		TOSHIAKI NAGATA, et al., "The First Total Synthesis of Nakadomarin A", Journal of the American Chemical Society, 2003, pp. 7484-7485, Vol. 125, No. 25					
		ATSUSHI NISHIDA, et al., "Synthetic study of nakadomarin A", Tennen Yuki Kagobutsu Toronkai Koen Yoshishu, 2001, pp. 617-622					
		ALOIS FÜRSTNER, et al., "Indenylidene Complexes of Ruthenium: Optimized Synthesis, Structure Elucidation, and Performance as Catalysts for Olefin Metathesis-Application to the Synthesis of the ADE-Ring System of Nakadomarin A", Chemistry-A European Journal, 2001, pp. 4811-4820, Vol. 7, No. 22					
		K.M.J. BRANDS, et al., "An Efficient and Stereoselective Construction of the Core Structure of the Manzamines via an Intramolecular Michael Reaction", Tetrahedron Letters, 1998, pp. 1677-1680, Vol. 39, No. 13					
		TOSHIAKI NAGATA, et al., "Synthetic approach towards nakadomarin A: efficient synthesis of the central tetracyclic core", Tetrahedron Letters, 2001, pp. 8345-8349, Vol. 42, No. 47					
		International Search Report for PCT/JP04/017209 dated January 11, 2005					

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.